

IN THE UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA

MARK PANCARI,
CATHLEEN PANCARI,

Bankruptcy No.: 19-22280-CMB
Chapter 13
Document No.:

Debtors,

MARK PANCARI,
CATHLEEN PANCARI,

Movants,

vs

CARVANA,
RONDA WINNECOUR, Trustee,

Respondents. **ENTERED BY DEFAULT**

ORDER APPROVING POSTPETITION AUTOMOBILE FINANCING

This matter comes before the Court upon the *Motion of Mark and Cathleen Pancari for post-petition financing* ("Motion") filed by Debtor on July 28, 2020. A Certificate of No Objection ("CNO") was filed on August 17, 2020. Based upon the foregoing, and for good cause shown, it is hereby **ORDERED, ADJUDGED**, and **DECREED** that:

1. The *Motion* is **GRANTED** as provided by the terms of this *Order*. Debtor is authorized to obtain secured financing for the purchase of a replacement vehicle on the following terms:

(a) the total amount of financing **shall not exceed \$14,724.40**; and

(b) the monthly payments made under the financing agreement **shall not exceed \$335.00**.

2. To the extent that Debtor secures financing for the purchase of a new vehicle, such payments **shall be made through the chapter 13 plan**. Within **30 DAYS** of securing such financing, Debtor shall file:

(a) an amended chapter 13 plan; and

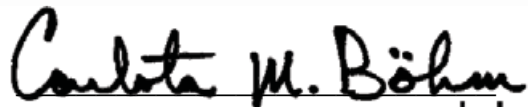
(b) a report of financing, including details of automobile trade-in or sale, if applicable.

3. To ensure the prompt and timely payment of the automobile loan, Debtor shall make a supplemental payment to the chapter 13 trustee **within 7 days** of filing the report of financing (and each month thereafter as necessary) in an amount sufficient for the trustee to cover the installments due on the loan. The supplemental payments shall be in addition to the regular plan payment, pending confirmation of the amended plan.
4. Pending confirmation of any amended plan providing for the new post-petition loan payments, the trustee is authorized to make monthly adequate protection payments to Carvana for the contract amount so long as sufficient supplemental funds are provided by Debtor.
5. Notwithstanding the inclusion of the post-petition loan within an amended chapter 13 plan, the underlying terms of the loan shall not be modified absent the consent of the Carvana.
6. If the financing through Carvana falls through, the Debtor is permitted to finance through another creditor limited by the terms of this Order.
7. Debtor shall serve copies of this *Order* on all creditors eligible to receive distributions through the chapter 13 plan and file proof of the same with the Court.

Prepared by:

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Dated: 8/17/2020



Carlota M. Böhm dmk

Chief United States Bankruptcy Court Judge

Case Administrator to Mail to:
Debtor(s), Counsel for Debtor(s)
Ronda J. Winnecour, Esq.,
Office of the U.S. Trustee

FILED
8/17/20 6:47 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA